Fourth Review Conference
of the Parties to the Treaty
on the Non-Proliferation of Nuclear Weapons

NPT/CONF.IV/MC.I/L.1
4 September 1990

Original: ENGLISH

Geneva
20 August-14 September 1990

DRAFT REPORT OF MAIN COMMITTEE I

Establishment and Terms of Reference

1. Pursuant to rule 34 of the Rules of Procedure, the Conference established Main Committee I as one of its three main Committees and referred to it the following items for its consideration (NPT/CONF.IV/1):

Item 13. Review of the operation of the Treaty as provided for in its Article VIII (3):

Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, disarmament and international peace and security:

(1) Articles I and II and preambular paragraphs 1-3.

(2) Article VI and preambular paragraphs 8-12.

(3) Article VII, with specific reference to the main issues considered in this Committee.

Security assurances:

(1) Resolution 255 (1968) of the United Nations Security Council.

(2) Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

(3) Consideration of proposed agreement on the prohibition of the use or threat of use of nuclear weapons against non-nuclear-weapon States Parties to the treaty on the Non-Proliferation of Nuclear Weapons (proposal by Nigeria).

GE.90-69907 4428a

Officers of the Committee

2. The Conference elected Ambassador Bariyu Adeyemi (Nigeria) as the Committee's Chairman; Ambassador Todor Ditchev (Bulgaria) and Ambassador Oscar Vaerno (Norway) served as Vice-Chairmen of the Committee.

Documents before the Committee

Background documentation */

3. The Committee had before it the following background documentation:

NPT/CONF.IV/1	Final Report of the Preparatory Committee for the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.IV/2	Basic facts within the framework of the United Nations in connection with the realization of the purposes of the tenth paragraph of the Preamble of the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.IV/3	Basic facts within the framework of the United Nations in connection with the implementation of Articles I and II of the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.IV/5	Basic facts within the framework of the United Nations in connection with the realization of the purposes of Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.IV/6	Dynamics and consequences of the nuclear-arms race including its quantitative, qualitative and vertical aspects
NPT/CONF.IV/7	The dynamics and consequences of the wider dissemination of nuclear weapons
NPT/CONF.IV/8	Studies relevant to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.IV/9	Present status of negotiations of the Conference on Disarmament on "Nuclear Test Ban"
NPT/CONF.IV/10	Present status of negotiations of the Conference on Disarmament on effective measures relating to cessation of the nuclear-arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control

---

*/ Some of the documents may also cover items allocated to other Main Committees.

NPT/CONF.IV/11 Present status of negotiations of the Conference on Disarmament on "Effective International Arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons"

NPT/CONF.IV/15 Memorandum from the General Secretariat of the Agency for the Prohibition of nuclear weapons in Latin America and the Caribbean prepared for the Fourth Review Conference

NPT/CONF.IV/16 Memorandum from the Secretariat of the South Pacific Forum on the subject of the South Pacific Nuclear-Free Zone Treaty prepared for the Fourth Review Conference

Documents containing elements relevant to a Final Declaration

4. The following documents were submitted to the Conference on the items allocated to the Committee:

NPT/CONF.IV/17 Consideration of proposed agreement on the prohibition of the use or threat of use of nuclear weapons against non-nuclear-weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (Proposal by Nigeria)

NPT/CONF.IV/18 Memorandum submitted by the Governments of Denmark, Finland, Iceland, Norway and Sweden on the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.IV/19 Information on the implementation by the Union of Soviet Socialist Republics of the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.IV/20 United States information pertaining to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.IV/21 The United Kingdom's implementation of the Treaty on the Non-Proliferation of Nuclear Weapons 1985-90

NPT/CONF.IV/24 Letter dated 10 August 1990 from the Head of the French Delegation to the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, addressed to the Provisional Secretary-General of the Conference

NPT/CONF.IV/25 Message of President George Bush of the United States of America to the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.IV/26 Message of President Mikhail S. Gorbachev of the Union of Soviet Socialist Republics to the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.IV/27 Message from Mr. Alberto Fujimori, President of Peru, to the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.IV/28 Letter dated 23 August 1990 from the Deputy Head of Delegation, Federal Republic of Germany, and the Deputy Head of Delegation, German Democratic Republic, to the Secretary-General of the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.IV/29 Letter dated 22 August 1990 from the Italian delegation

NPT/CONF.IV/30 Letter dated 23 August 1990 from the Deputy Head of the delegation of Yugoslavia to the Secretary-General of the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.IV/31 Working paper submitted by Egypt

Work of the Committee

5. The Committee held ..... formal meetings between 24 August and .. September 1990; its discussions are summarized in documents NPT/CONF.IV/MC.I/SR.1-... After an initial general exchange of views on the agenda items referred to it, the Committee gave consideration to proposals contained in the documents listed in paragraphs 3 and 4 above, and to proposals contained in a number of working papers and conference room papers presented to the informal working groups.

6. At its 3rd meeting on 29 August 1990, the Committee established three open-ended working groups to facilitate the consideration of matters before it. In addition, the Committee established an open-ended Sub-Committee on Security Assurances.

7. The allocation of work was as follows:

- Working Group 1 (chaired by Mr. Torbjorn Aalbu of Norway) considered Articles I and II and preambular paragraphs 1 to 3;

- the Sub-Committee on Security Assurances, and subsequently Working Group 2 (chaired by Mr. Radoslav Deyanov of Bulgaria), considered issues of security assurances allocated to the Committee;
- Working Group 3 (chaired by Ambassador Bariyu Adeyemi of Nigeria) considered Article VI and preambular paragraphs 8 to 12.

By agreement with the Chairman of Main Committee II, the political aspects of Article VII were addressed in that Committee.

8. The Committee agreed to submit to the Conference the following report on its work:

I. Review of Articles I and II and preambular paragraphs 1 to 3
(to be submitted)

II. Review of Article VI and preambular paragraphs 8 to 12
(to be submitted)

III. (Security assurances - wording to be decided)
(to be submitted)

Fourth Review Conference
of the Parties to the Treaty
on the Non-Proliferation of Nuclear Weapons

NPT/CONF.IV/MC.I/L.1/Add.1
4 September 1990

Original: ENGLISH

Geneva, 20 August-14 September 1990

DRAFT REPORT OF MAIN COMMITTEE I

Addendum

Report of Working Group 1

I. Review of Articles I and II and preambular paragraphs 1-3

1. The Conference reaffirms that the full and effective implementation of the Treaty [and the régime of non-proliferation it supports] play a [central] role in promoting regional and international peace and security. The Conference therefore welcomes the accession of further Parties to the NPT since the last Review Conference and urges all States not Party to the Treaty to accede to it. The Conference remains convinced that full compliance of all Parties to and universal adherence with the Treaty are the best way to prevent the spread of nuclear weapons and other nuclear explosive devices to additional States.

2. The Conference also reaffirms its determination to prevent the proliferation of nuclear weapons and other nuclear explosive devices [to additional States], without hampering the peaceful uses of nuclear energy by non-nuclear-weapons States Parties to the Treaty. Such proliferation would add immeasurably to regional and international tensions. It would increase the risk of nuclear war and lessen the security of all States.

3. The Conference reiterates the concerns and reaffirms the convictions expressed in preambular paragraphs 1 to 3 and agrees they remain valid. The Conference welcomes the positive developments in the international situation since the last Review Conference, especially in the East-West context and in the relations between the Soviet Union and the United States. The Conference expresses the expectation that this tendency, contributing to lessening the danger of nuclear war, will be strengthened and become worldwide. The States Parties to the Treaty agree that a nuclear war cannot be won and must never

be fought, in order to avoid the devastation that a nuclear war would bring. They remain convinced that any proliferation of nuclear weapons would seriously increase the danger of nuclear war.

4. The Conference agrees that the strict observance of the terms of Articles I and II remains central to achieving the shared objectives of preventing under any circumstances the further proliferation of nuclear weapons and preserving the Treaty's vital contribution to peace and security, including to the peace and security of non-Parties.

5. The Conference acknowledges the declarations by nuclear-weapons States Party to the Treaty that they had fulfilled their obligations under Article I. The Conference further acknowledges the declarations that non-nuclear weapons States Party to the Treaty had fulfilled their obligations under Article II. The Conference underlines the vital need for all Parties to the Treaty to comply scrupulously and unreservedly with their obligations [and to avoid any actions or statements which could raise questions about their compliance, and thereby undermine the confidence of other States Party to the Treaty in the security offered by their commitment to the Treaty.]

6. The Conference notes with satisfaction the joint declaration of the Federal Republic of Germany and the German Democratic Republic (document NPT/CONF.IV/28) by which they reaffirm their contractual and unilateral undertaking not to manufacture, possess or have control over nuclear, biological and chemical weapons and by which they declare that the united Germany, too, will abide by this obligation, that rights and obligations under the instruments of the Treaty of 1 July 1968 on the Non-Proliferation of Nuclear Weapons will continue to apply to the united Germany, and that the united Germany will seek the continued validity of the Non-Proliferation Treaty beyond 1995 and that it supports the strengthening of the non-proliferation régime.

7. The Conference expresses deep concern that the national nuclear programmes of some States non-Party to the Treaty may lead them to obtain a nuclear weapon capability. The Conference affirms the determination to stop the spread of nuclear explosive capabilities, and hence the ability to develop and produce nuclear weapons. [The Conference therefore underlines the need for all States Parties to continue to make every effort to ensure the effective (and uniform) implementation of export controls on items possibly destined for use in such nuclear programmes, in a manner which avoids hampering legitimate peaceful nuclear programmes of States Party to the Treaty.

States Party to the Treaty reiterate that any further detonation of a nuclear explosive device by any non-nuclear-weapon State would constitute a most serious breach of the non-proliferation objective.]

8. [The Conference expressed great and serious concerns about the nuclear capability of South Africa and Israel. In this connection, the Conference calls for the total and complete prohibition of the transfer of all nuclear facilities, resources or devices to South Africa and Israel.] 1/

9. [The Conference also notes concerns expressed about the failure of a number of States with nuclear programmes in different/other regions of the world to place all their nuclear facilities under IAEA safeguards and to make binding international commitments not to acquire nuclear weapons and other nuclear explosive devices. In this connection the Conference reiterates its belief that accession to the NPT has a fundamental role to play in strengthening mutual confidence and the security of States.] 2/

1/ Some delegations expressed the view that there should be no mentioning of specific countries in this section of the report. The same delegations could accept naming of countries provided this was done in a comprehensive manner as outlined in the proposed text attached. (See Annex I). Other delegations expressed disagreement with this view. An alternative text proposal for para. 9 of Annex I is also attached. (See Annex II).

2/ Some delegations would prefer that the proposed para. 9 replace para. 8. In that case the word "different" should be used in the second line. Alternatively, the paragraph could be added to the present para. 8, in which case the word "other" should be used.

Annex I

Proposed text by the United Kingdom

8. The Conference expresses particular concern about the nuclear capabilities of Israel, and expresses its condemnation of any attempt to introduce nuclear weapons into the Middle East. The Conference also notes the calls on all States for the total and complete prohibition of the transfer of all nuclear facilities, resources and devices to Israel.

9. The Conference also expresses concern about the nuclear capabilities of South Africa. At the same time it recalls the constructive part that South Africa played in establishing the IAEA and welcomes the President's statement on 21 September 1987 that South Africa "hopes that it will soon be able to sign the NPT and has decided to open discussions with others to this end". The Conference urges South Africa to accede to the Treaty at the earliest possible opportunity.

10. The Conference also notes the concerns about the nuclear capabilities of India and Pakistan. It welcomes the agreement between the two countries not to attack one another's nuclear facilities and urges both countries to bring the agreement into force and to seek further ways of enhancing mutual confidence. In this connection the Conference reiterates its belief that accession to the NPT has a fundamental role to play in strengthening mutual confidence and the security of States.

11. The Conference also notes that there are unsafeguarded nuclear activities in both Argentina and Brazil. It welcomes the declarations made by the two States on nuclear matters and the extensive programme of contacts and visits between them. In the interests of world peace and security it urges both countries to consolidate these confidence-building measures by bringing the Treaty of Tlatelolco into force for their two countries and by acceding to the NPT.

Annex II

Articles I and II, preambular paragraphs 1-3

Proposed text by Nigeria

The Conference expresses great and serious concern about the nuclear weapons capability of South Africa. The Conference is alarmed by the assistance rendered to South Africa in the pursuit of its nuclear weapons capability through the supply and provision of sensitive equipment, materials, technology, information and training facilities among others, by some nuclear-suppliers NPT States Parties. The Conference acknowledges that this assistance has greatly increased the capability of South Africa which is not party to the NPT, to produce nuclear weapons with far-reaching consequences for international peace and security and in violation of Article I of the NPT. The Conference underlines the particularly grave threats posed by nuclear weapons in the hands of the South African apartheid régime in the region and the consequences of this development for the peace and stability of other States in Africa.

In this connection, the Conference calls for the total, complete, and immediate prohibition of the transfer of all nuclear facilities resources or devices to South Africa.